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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,379	10/31/2003	Salil Pradhan	200310499-1	1828

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EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/714,379

Applicant(s)

PRADHAN ET AL.

Examiner

Bharat N. Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9,23 and 24 is/are rejected.
- 7) ☒ Claim(s) 10-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/31/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 16-17 are objected to because of the following informality: Claims 16 and 17 depend on claim 10, which is a typographical error. Claims 16-17 should depend on claim 15. Appropriate corrections are required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 16-17 recite the limitation "the unverified transactions" in line 1. There is insufficient antecedent basis for this limitation in the claims.

All claims that depend thereon are also hereby considered rejected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-9 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson et al (U.S. Patent No. 5,915,022) in view of Janson et al (U.S. Patent No. 6,535,997).

6. As to claim 1, Robinson et al teach a method of responding to a demand for restoration of lost offline peer-to-peer transaction records (see abstract; and figures 1-1 and 1-2) comprising: attempting to verify transactions for a plurality of lost transaction records through another party to the corresponding transaction; and assigning an accuracy indicator to transactions of the plurality of lost transaction records wherein the accuracy indicator indicates whether the transaction is verified directly through another

party to the corresponding transaction (figures 1s and 3s; column 2 lines 38-57; and column 4 line 15 to column 5 line 25).

However, Robinson et al do not teach the steps of: determining whether transaction records of the plurality should be restored based on the assigned accuracy indicators. Janson et al teach a method of responding to a demand for restoration of lost offline peer-to-peer transaction records comprising: determining whether transaction records of the plurality should be restored based on the assigned accuracy indicators (see abstract lines 13-19; figure 1; column 7 line 55 to column 8 line 27; and column 10 line 32 to column 11 line 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Janson et al stated above in the method of Robinson et al for restoration of lost offline peer-to-peer transaction records because it would have promoted efficient planning and work flow in the network and provided data integrity and protection against data loss or corruption.

7. As to claim 2, Robinson et al teach that the lost transaction records include access rights to digital media (column 5 lines 12-25; and column 6 lines 23-47).

8. As to claims 3-5, Janson et al teach that restoring selected ones of the lost transaction records, only those transaction records that are verified directly, and at least one of the lost transaction records before the transaction is verified through the other

party to the transaction (column 7 line 55 to column 8 line 27; column 10 line 32 to column 11 line 8; and column 14 line 55 to column 15 line 50).

9. As to claims 6-8, Robinson et al teach that receiving a log of transaction records from each other party to the transactions for the lost transaction records whose record of the transaction is not lost; the accuracy indicator indicates whether the transaction record for a transaction is verified indirectly through another party to the corresponding transaction and the number of parties through which the transaction is verified indirectly (figures 1s and 3s; column 2 lines 38-57; column 4 line 15 to column 5 line 25; and column 9 line 39 to column 10 line 26).

10. As to claim 9, Janson et al teach that the restoring comprises restoring only those transaction records that are verified directly and those that are verified indirectly through one other party (column 7 line 55 to column 8 line 27; column 10 line 32 to column 11 line 8; and column 14 line 55 to column 15 line 50).

11. As to claims 23-24, they are also rejected for the same reasons set forth to rejecting claim 1 above, since claim 23 is merely an apparatus and claim 24 is merely a computer program product having the executable instructions for the method of operation defined in the claim 1.

Allowable Subject Matter

12. Claims 10-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. The examiner has found that the prior art of record does not teach or suggest or render obvious a method of responding to a demand for restoration of lost offline peer-to-peer transaction records comprising: determining whether transaction records of the plurality should be restored based on the assigned accuracy indicators, wherein the determining is performed based on a ratio of a number of verified transactions to a number of lost transactions and based on a history for the party making the demand at set forth in the specification and recited in the dependent claims 10 and 13.

Additional References

14. The examiner as of general interest cites the following references.

- a. Cadorette, Jr. et al, U.S. Patent No. 6,341,169.
- b. Nilsson et al, U.S. Patent No. 5,721,918.

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Contact Information

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

February 26, 2007

Bharat Barot
BHARAT BAROT
PRIMARY EXAMINER